

REMARKS

Claims 1-10 and 12-27 are pending in the present application.

At the outset, Applicants wish to thank Examiner Cain for the indication that Claims 4 and 5 are allowable (December 16, 2003, Office Action, page 2). In addition, Applicants would like to thank the Examiner for recognizing that Claims 1-13 are free of the art of record. Reconsideration is respectfully requested in view of the amendments and remarks set forth herein.

The rejection of Claims 1-3 and 6-13 under 35 U.S.C. §112, first paragraph (enablement), is respectfully traversed.

MPEP § 2164.01 states:

The test of enablement is whether one reasonably skilled in the art could make or use the invention from the disclosures in the patent coupled with information known in the art without undue experimentation.

Applicants submit that with the present specification in hand the skilled artisan can readily appreciate the scope of, how to make, and how to use the claimed invention without undue experimentation.

The present application is based on the discovery that a polymer dispersion has a high level of stability to shear and to the additional electrolyte when the polymer dispersion contains a water-soluble polymeric polyelectrolyte, which along a polymeric backbone carries a large number of ionic groups of uniform charge character (or groups which can be ionized to such groups), and an ionic surfactant which carries an ionic group whose charge character is opposite to that of the polymeric polyelectrolyte (or a group which can be ionized to such a group). (see page 2, lines 4-17)

Claim 1 clearly permits for the polyelectrolyte to be either anionic or cationic. In this regard, the polyelectrolyte either carries groups of negative charge (anionic groups or groups that can be converted into anionic groups, e.g., by deprotonation) or groups of positive charge (cationic groups or groups that can be converted into cationic groups, e.g., by protonation). Accordingly, the ionic surfactant contains positively charged groups (*i.e.*, a cationic group or a group that can be ionized to such a group) if the polyelectrolyte carries negatively charged groups. Alternatively, the ionic surfactant contains negatively charged groups (*i.e.*, an anionic group or a group that can be ionized to such a group) if the polyelectrolyte carries cationic groups. (see page 2, lines 19-41)

Polymeric polyelectrolytes carrying anionic groups or cationic groups are well-known in the art and commercially available (see Examples 1, 3, 4, and 6-8 for negatively charged polyelectrolytes and Examples 2 and 5 for positively charged polyelectrolytes). Moreover, positively and negatively charged surfactants are also well-appreciated in the art (see page 6, lines 11-38 and Examples 2 and 5 for anionic surfactants and page 7, line 1 to page 8, line 30 and Examples 1, 3, 4, and 6-8 for cationic surfactants).

In view of the foregoing, Applicants submit that every required feature to permit the skilled artisan to make the claimed polymer dispersion appears in Claim 1 and would be appreciated by the skilled artisan. Moreover, both alternative combinations – (a) positively charged polyelectrolyte/negatively charged surfactant and (b) negatively charged polyelectrolyte/positively charged surfactant – are supported by the Examples of the present application as highlighted above.

Accordingly, withdrawal of this ground of rejection is requested.

Applicants submit that the present application is now in condition for allowance.

Early notification of such action is earnestly solicited.

Respectfully submitted,

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